REMARKS/ARGUMENTS

Claims 1-15 are active in this application. The claims have been amended to remove multiple dependencies, for clarity, and to address the rejections under 35 U.S.C. § 112, second paragraph and 35 U.S.C. § 101. No new matter is added by the amendments.

Favorable reconsideration is respectfully requested.

The present invention is directed to water-absorbent compositions containing certain water-soluble, water-swellable hydrogels, process for making these compositions, hygiene articles comprising these compositions and methods for making these hygiene articles. These claims are neither anticipated by, nor rendered obvious in view of, U.S. Patent 6,136,873 (U.S. '873), U.S. Patent 5,562,646 (U.S. '646), and U.S. Patent 5,669,894 (U.S. '894) for the following reasons.

All three of these prior art references describe water-absorbing polymers generally. These polymers are characterized by particular features such as porosity, performance under pressure, basis weight and saline flow conductivity (see column 7, lines 49-57 of U.S. '646 and column 6, lines 65 to column 7, line 4 of U.S. '894). In addition, U.S. '873 describes generally water-absorbing expanded cross-linked polymers obtained by a specific process (see column 2, lines 24-43) and polymerizable aqueous mixture containing monoethyenically unsaturated monomers, cross linker initiator, solubilizer and other thickeners (see column 2, lines 44-63).

Therefore, all three references provide a general description of water-absorbent polymers, but fail to specifically describe selecting water-swellable hydrogels characterized by a CRC of at least 24 g/g, an SFC of at least 80 $\times 10^{-7}$ cm^3 f/g and FSR of at least 0.15 g/gs and/or vortex time of not more than 160 s as claimed in the present application.

The Applicants have discovered that the claimed hydrogels have better acquisition time and Rewet under pressure, which are characteristics that improve articles containing the

hydrogels. These improved characteristics are demonstrated in the present specification and compared to hydrogels that do not meet the characteristics as set forth in the present claims.

The tests for Acquisition time and Rewet under pressure are described on page 22 of the application. The Table on page 24 summarizes the characteristics of products A-K with respect to CRC, SFC, Free Swell Rate and Vortex time. In particular, note that products, C, F, I, and J are comparative as they "do not conform to the selection criteria of the invention" (page 23, lines 1-2). The test data are presented in the Table on page 25. For the sake of simplicity, a comparison between products A and the comparative products will be discussed but again note that Products A, B, D, E, G, H and K are representative of hydrogels according to the present claims whereas Products C, F, I and J are comparative.

Product A had CRC, FC and free swell rates characteristics as described in Claim 1 (see Table on page 24) and exhibited an Acquisition time 3 of 94 seconds, and a Rewet under Pressure 3 of 2.6 g.

Product C which had a Free Swell Rate of 0.10 g/gs (compared to claim 1 which provides "at least 0.15 g/gs) exhibited an Acquisition time 3 of 125 seconds and a Rewet under pressure 3 of 4.2 g.

Product F (SFC of 35 x 10^{-7} cm^3 s/g) and Product I (SFC 20 x 10^{-7} cm^3 s/g)—again the claimed SFC is at least 80 x 10^{-7} cm^3 s/g—each exhibited Acquisition 3 times of 144 and 159 s, respectively. Similarly, the Rewet under pressure 3 of each was 3.7 and 3.9 g, respectively. Again these values were significantly higher than Product A (see above and the Table on page 25 of the specification).

Product J (CRC 22.3 g/g compared to the claimed CRC of at least 24 g/g) while exhibiting an Acquisition time 3 of 88s, exhibited a Rewet under pressure 3 of 5.2 g (200% more than Product A).

In sum, the prior art cited in the Official Action do not describe selecting any hydrogels with the particular characteristics set forth in the present claims. Likewise, the prior art does not nor could have suggested that the superior performance of the claimed hydrogels as documented by the data discussed. Therefore, the present claims are not anticipated by, nor would have been obvious in view of, U.S. '873, U.S. '646, and U.S. '894.

Withdrawal of the rejections under 35 U.S.C. § 102(a) or under 35 U.S.C. § 103(a) is requested.

The rejections of Claims 7 and 11 under 35 U.S.C. § 112 and 35 U.S.C. § 101 are respectfully traversed.

It appears that the claims at issue should be Claims 6 and 11 but in any event, the rejections have been addressed by the amendments submitted herewith.

Withdrawal of both grounds of rejection is therefore requested.

Applicants also request that this application be passed on to issuance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Attorney of Record
Registration No. 24,618

Daniel J. Pereira, Ph.D.
Registration No. 45,518

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